



CITY OF CEDAR PARK
PLANNING & ZONING COMMISSION
TUESDAY, March 20, 2012 AT 6:30 P.M.
CEDAR PARK PUBLIC LIBRARY

550 DISCOVERY BOULEVARD CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

☐ ALAIN O'TOOL
☐ HOLLY HOGUE

☐ STEPHEN THOMAS, Chair
☐ NICHOLAS KAUFFMAN, Vice Chair
☐ LORENA ECHEVERRIA de Misi, Secretary

☐ THOMAS BALESTIERE
☐ JON LUX

1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS
3. MINUTES: Approve Minutes from the Regular Meeting of February 21, 2012
4. CITIZEN COMMUNICATIONS (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)
5. CONSENT AGENDA:

A. STATUTORY DISAPPROVAL:

(Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in City Ordinance Sections 12.03.001, 12.05.004, 12.06.004 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Disapproval in order to meet the statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission.)

1. Parkwest Estates (PP-12-001)
27.6 acres, 77 single family lots
Located on the south side of Cedar Park Drive just west of US Hwy 183 south to Park Street
Owner: Ryland Homes (Royce Rippey)
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
2. Resubdivision of Lot 1 Lakeline Riviera Subdivision (SFP-12-001)
4.907 acres, 2 commercial lots
Located on the northwest corner of Lakeline Boulevard and US Highway 183
Owner: Lakeline Market, Ltd.
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
3. Arbor Park (FP-12-001)
1.4 acres, 1 commercial lot
Located on East Whitestone Boulevard just east of Ronald Reagan Boulevard
Owner: F&F Capital
Staff Resource: Emily Barron

Staff Proposal to P&Z: Statutorily Disapprove

4. Arbor Park (PP-12-002)
17.48 acres, 6 commercial lots
Located on East Whitestone Boulevard just east of Ronald Reagan Boulevard
Owner: F&F Capital
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
5. Cypress Corner Section 2, Lot 1 (PP-12-003)
3.6 acres, 1 commercial lot
Located on the Cypress Creek Road just west of US Highway 183
Owner: TSSD III
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
6. Cypress Corner Section 2, Lot 1 (FP-12-002)
3.6 acres, 1 commercial lot
Located on the Cypress Creek Road just west of US Highway 183
Owner: TSSD III
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
7. Cypress Corner Section 1, Lot 1 (SFP-12-003)
6.07 acres, 1 commercial lot
Located on US Highway 183 just south of Cypress Creek Road
Owner: TSSD III
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove

B. SUBDIVISION APPROVALS: **NONE**

6. POSTPONEMENT/WITHDRAWN/PULLED REQUESTS:

- A. Consider a request by DR Horton to indefinitely postpone zoning case Z-11-039, which proposes to rezone approximately 42.861 acres from Downtown District (DD) to Planned Development-Mixed Use (PD-M) for property located near the southwest corner of 183A and East New Hope Drive.

7. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS: In accordance with the statutory requirements of the Texas Local Government Code reflected in Section 211.007, acceptance of preliminary reports for the following applications is recommended.

- A. West Park at Lakeline, Z-12-003 (related to item 8A)
- B. 1431 Inc, Z-12-004 (related to item 8B)

8. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

- A. Consider a request by Premas Commercial Realty Group LLC to rezone approximately 4.04 acres from Single Family Large Lot (SF) to Transitional Office (TO) for property located at the southeast corner of West Park Street and North Lakeline Boulevard. (Z-12-003)

Owner: Premas Commercial Realty Group LLC

Staff Resource Person: Amy Link

Staff proposal to P&Z: Transitional Office (TO)

- 1) Public Hearing
- 2) P&Z Recommendation to City Council
- 3) P&Z Adoption of Final Report

- B. Consider a request by Marion and Peggy Shipman and 1431 Inc. to rezone approximately 34.23 acres from Development Reserve (DR) and Business District (BD) to approximately 4.12 acres of Local Retail (LR), approximately 6.29 acres of General Retail (GR), approximately 12.43 acres of Light Industrial (LI) and approximately 11.39 acres of Commercial Services-Conditional Overlay (CS-CO) with the following conditions: prohibit automobile repair shop, automotive tire stores, automotive paint and body shop, automotive parts and accessory sales, boarding kennels, crematorium, gasoline service station general, indoor shooting range, pawn shop, permanent makeup, tattooing, body piercing, truck stop, and wrecker impoundment, for property located near the northeast corner of West New Hope Drive and West Whitestone Boulevard. (Z-12-004)

Staff Resource Person: Amy Link

Staff proposal to P&Z: Local Retail (LR), General Retail (GR), Light Industrial (LI) and Commercial Services-Conditional Overlay (CS) with all prohibited uses listed above plus Self Storage and Recreational Vehicle Park, and including a condition to limit the height of structures to a maximum of 45 feet.

- 1) Public Hearing
- 2) P&Z Recommendation to City Council
- 3) P&Z Adoption of Final Report

9. FUTURE LAND USE PLAN AMENDMENTS:

- A. Lakeline Boulevard just north of Old Mill Road
- B. West Whitestone Boulevard at West New Hope Drive

10. SUBDIVISIONS (ACTION AND PUBLIC HEARING): **None**

11. CONDITIONAL USE SITE DEVELOPMENT (ACTION AND PUBLIC HEARING): **None**

12. DISCUSSION ONLY:

- A. Discussion on Ordinance Amendments to Chapter 11 – Zoning, Article 11.05 Architectural Design Standards, Division 3 Design Requirements for Large Scale, Single Tenant Retail Developments

13. ADMINISTRATIVE ITEMS:

(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)

- A. Report on City Council Actions Pertaining to Zoning Matters from February 23, 2012 and March 8, 2012
- B. Director and Staff Comments – Time frame for delivery of packet
- C. Commissioners Comments
- D. Request for Future Agenda Items
- E. Designate Delegate to Attend Next Council Meetings on March 23, 2012 and April 12, 2012

14. ADJOURNMENT

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the Planning and Zoning Commission.

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the Planning and Zoning Commission, non-agenda items may be presented by citizens to the Planning and Zoning Commission for informational purposes; however, by law, the Planning and Zoning Commission shall not discuss, deliberate or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session Items on this agenda, if any.

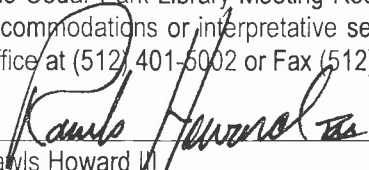
CERTIFICATE

I certify that the above notice of the Regular Called Planning and Zoning Commission Meeting of the City of Cedar Park, Texas was posted on the bulletin board of the City of Cedar Park City Hall, 600 N. Bell Boulevard, Cedar Park, Texas. This notice was posted on:

MAR 9 '12 PM 2:54

Date Stamped (Month, Day, Year, AM/PM, Time)

The Cedar Park Library Meeting Rooms are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (512) 401-5002 or Fax (512) 401-5003 for further information.


Rauls Howard III
Director of Planning and Development Services

Notice Removed: _____
Date Stamped (Month, Day, Year, AM/PM, Time)

MINUTES FOR
CITY OF CEDAR PARK
REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
TUESDAY, FEBRUARY 21, 2012 AT 6:30 P.M.
CEDAR PARK PUBLIC LIBRARY
550 DISCOVERY BOULEVARD CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

☒ ALAIN O'TOOL
☒ HOLLY HOGUE

☒ STEPHEN THOMAS, Chair
☒ NICHOLAS KAUFFMAN, Vice Chair
☒ LORENA ECHEVERRIA, Secretary

☒ THOMAS BALESTIERE
☒ JON LUX

1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN
Chair Thomas called the meeting to order at 6:30 P.M. Chair Thomas read the "Chairman's Sheet" explaining the meeting procedures. Commissioner Balestiere arrived at 6:39 P.M. at the beginning of Item 8A. All other Commissioners were present and a quorum was declared.
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS
Chair Thomas led the audience in the U.S. Pledge of Allegiance and the Texas Pledge.
3. MINUTES: Approve Minutes from the Special Called Meeting of February 7, 2012
MOTION: Commissioner Lux moved to approve the Special Called Meeting of February 7, 2012 Minutes as presented. Commissioner O'Tool seconded the motion and the motion passed unanimously, 6-0, one absent.
4. CITIZEN COMMUNICATIONS *(Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)* **None.**
5. CONSENT AGENDA:
 - A. STATUTORY DISAPPROVAL:
(Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in City Ordinance Sections 12.03.001, 12.05.004, 12.06.004 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Disapproval in order to meet the statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission.)
 1. West Park Estates (PP-12-001)
11.16 acres, 30 single family lots, 1 drainage and water quality lots
Located on the south side of Cedar Park Drive just west of US Hwy 183
Owner: Bob Gilfillan
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
 2. Whitestone Medical Pavilion, Replat of Lot 1-B, Block A (SFP-12-001)
4.084 acres, 2 commercial lots
Located on East Whitestone Boulevard, east of C-Bar Ranch Trail
Owner: Flagstar Bank FSB
Staff Resource: Amy Link
Staff Proposal to P&Z: Statutorily Disapprove

B. SUBDIVISION APPROVALS:

1. Scottsdale Crossing (PP-11-007)
121.08 acres, 88 residential lots, 16 commercial lots
183A Toll Road at Scottsdale
Owner: Pecan Grove SPVEF
Staff Resource: Emily Barron
Staff Proposal to P&Z: Approve
2. Scottsdale Crossing (SFP-11-008)
7.619 acres, 3 commercial lots
Located 183A at Scottsdale Road
Owner: Pecan Grove SPVEF
Staff Resource: Emily Barron
Staff Proposal to P&Z: Approve
3. Lakeline Sports (SFP-11-009)
2.8386 acres, 1 commercial lot
Located on the south side of Old Mill Road, west of Lakeline Boulevard
Owner: Caspita Industries Limited
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve

MOTION: Secretary Echeverria moved to recommend approval of Consent Agenda Items 5.A.1 through 5.B.3 as presented. Commissioner Lux seconded the motion, and the motion passed unanimously, 6-0, one absent.

6. POSTPONEMENTS/WITHDRAWN/PULLED REQUESTS: **None**

7. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS: In accordance with the statutory requirements of the Texas Local Government Code reflected in Section 211.007, acceptance of preliminary reports for the following applications is recommended.

A. King William, Z-12-001 (Related to item 8A)

MOTION: Secretary Echeverria moved to accept the Preliminary Reports for Item 8A as presented by Staff. Commissioner Lux seconded the motion, and the motion passed unanimously, 6-0, one absent.

8. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

- A. Consider a request by Caspita Industries, Ltd to rezone approximately 1.3 acres from Local Retail (LR) to Commercial Services with a Conditional Overlay (CS-CO) with conditions limiting the permitted uses to the following: self-storage, auto parts and accessories sales, dry clean or laundry, indoor sports and recreation, and veterinary services, for property located on the south side of Lakeline Boulevard just west of the intersection of Old Mill Road and Lakeline Boulevard. (King William - Z-12-001)
Owner: Caspita Industries, Ltd.
Staff Resource Person: Emily Barron
Staff proposal to P&Z: Local Retail (LR)
1) Public Hearing
2) P&Z Recommendation to City Council
3) P&Z Adoption of Final Report

Senior Planner Emily Barron made the presentation and was available for questions. The applicant is requesting to rezone approximately 1.3 acres from Local Retail (LR) to Commercial

Services with a Conditional Overlay (CS-CO) for property located on South Lakeline Boulevard just north of Old Mill Road. The applicant proposed the following uses as part of the conditional overlay: automotive parts and accessories sales; dry cleaning and/or laundry facility, on site; indoor sports and recreation; self-storage; and veterinary services. The applicant's intent is to develop this property as self-storage as part of a larger development with property to the south. The property to the south was granted a conditional use in 2008 when the zoning ordinance allowed property owners to request a zoning district and pick two additional conditional uses to add to their zoning request. The ability to add uses to a zoning request while maintaining a LR zoning category is no longer an option in the ordinance. The requested zoning category falls within an industrial classification which does not provide for compatibility with adjacent residential land use. The request does not meet the Future Land Use Plan. This request is not supported by the purpose statement of the requested zoning category due to its potential intensity. Staff recommended maintaining the existing Local Retail (LR) designation on the site. The applicant provided a Summary of Neighborhood Communications. It was handed out at the meeting.

Jennie Braasch, agent for the applicant, advised the Commissioners that there are three owners for the tracts. She provided architectural drawings of the self-storage stating that the self-storage facility would not look industrial. She stated that the unique shape of the tract created a hardship for the owner and there had been little retail interest in this property in eight years. She stated that the owner would be willing to remove all requested uses except self-storage from the original rezoning request. She advised that she had neighborhood support. She advised that the proposed developer was present and available to answer questions.

There was general discussion among the Commissioners concerning the conditional uses. Vice Chair Kauffman advised that only the land use could be considered and not architectural designs as designs could change.

A public hearing was held on the above item. Steve Yndo spoke in favor of the rezoning request. There being no further public testimony, the public hearing was closed and the regular session reopened.

There was additional discussion among the Commissioners concerning limitations of the tract. Chair Thomas stated that infill would be difficult. Commissioner O'Tool stated that the request was not objectionable. Emily Barron advised that even if the rezoning request was approved, the Corridor Overlay would not allow self-storage on this site. Commissioner Lux agreed that infill would be difficult, but stated the Commission needed to stay consistent with the Future Land Use Plan. He supported staff's recommendation. Vice Chair Kauffman stated that the conditional uses were highly restricted. Secretary Echeverria stated that property A (rezoning request) was very different from other properties and believed that this was a unique case with adequate justification because of the low visibility.

MOTION: Vice Chair Kauffman moved to recommend approval to the City Council of rezoning approximately 1.3 acres from Local Retail (LR) to Commercial Services with a Conditional Overlay (CS-CO) (Z-12-001) as requested by the applicant. Secretary Echeverria seconded the motion and the motion passed as follows:

Yes: Kauffman, Echeverria, Thomas, Balestiere, O'Tool, Hogue

No: Lux

MOTION: Secretary Echeverria moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 8A, Case Z-12-001. Commissioner O'Tool seconded the motion and the motion passed unanimously, 7-0.

9. FUTURE LAND USE PLAN AMENDMENTS: **None**
10. SUBDIVISIONS (ACTION AND PUBLIC HEARING): **None.**
11. CONDITIONAL USE SITE DEVELOPMENT (ACTION AND PUBLIC HEARING): **None.**
12. DISCUSSION AND POSSIBLE ACTION ITEMS:
 - A. Discussion and Possible Action on Ordinance Amendments to Chapter 11 – Zoning, Article 11.02, 11.03, 11.12 and Adding 11.05 regarding masonry and architectural building regulations
 - 1) Public Hearing
 - 2) P&Z Recommendation to City Council

Rawls Howard, Director of Planning and Development Services, made the presentation. This item was included in the February 7th workshop. At the workshop, the Commission clarified the method of calculation. They discussed 100% masonry standard for non-residential (including multi-family) and 50% masonry for all industrial. They also discussed maintaining 50% standard for residential, requiring two types of masonry materials, and 75% standard for corner and double-frontage lots. Emily Barron advised that in 1998, the Corridor Overlay required 75% masonry. Staff provided two options for consideration: Option A would adopt regulations requiring 75% masonry construction for residential zoning districts. Rural Agriculture (RA) would require 50% and Multifamily (MF) would require 100%. Option B would maintain the current 50% masonry construction for residential districts. Staff recommended Option A.

A public hearing was held on the above item. Leila Wurst, Community Planner with Texas Masonry Council, spoke in favor of the proposed amendments. There being no further public testimony, the public hearing was closed and the regular session reopened.

MOTION: Commissioner Lux moved to approve Option B for the Ordinance Amendments to Chapter 11 – Zoning, Article 11.02, 11.03, 11.12 and Adding 11.05 regarding masonry and architectural building regulations as presented by staff. Commissioner Balestiere seconded the motion and the motion passed as follows:

Yes: Lux, Kauffman, Thomas, Balestiere

No: O'Tool, Echeverria, Hogue

- B. Discussion and possible action on Ordinance Amendments to Chapter 11 – Zoning, Section 11.12 and Chapter 14 – Site Development, Section 14.07 regarding regulations for residential and non-residential fencing
 - 1) Public Hearing
 - 2) P&Z Recommendation to City Council

Rawls Howard made the presentation. This item was included in the February 7th workshop. At the workshop, the Commission discussed streamlining and consolidating existing fencing regulations. New regulations discussed included: clarifying definitions for fences and fence types, establishing maintenance requirements for fences, and adding prohibition on barbed/razor wire and electrical fencing for residential zoning districts with an exception for Rural Agricultural zoning districts and security of public institutions (barb wire only).

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Commissioner Echeverria moved to recommend approval to the City Council of the Ordinance Amendments to Chapter 11 – Zoning, Section 11.12 and Chapter 14 – Site Development, Section 14.07 regarding regulations for residential and non-residential fencing as presented by staff. Commissioner Lux seconded the motion and the motion passed unanimously, 7-0.

- C. Discussion and possible action on Ordinance Amendments to Chapter 11 – Zoning, Article 11.02 Zoning Districts and Regulations Division 33 Corridor Overlay – To amend language regarding uses within Corridor Overlay
- 1) Public Hearing
 - 2) P&Z Recommendation to City Council

Rawls Howard made the presentation. This item was included in the February 7th workshop. At the workshop, it was discussed that the proposed amendment applied corner lot limitations on residentially-based medical uses and applied one-half mile separation for gas stations and car washes.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Secretary Echeverria moved to recommend approval to the City Council of the Ordinance Amendments to Chapter 11 – Zoning, Article 11.02 Zoning Districts and Regulations Division 33 Corridor Overlay – To amend language regarding uses within Corridor Overlay as presented by staff. Commissioner Lux seconded the motion and the motion passed as follows:

Yes: Thomas, Echeverria, O'Tool, Hogue, Balestiere, Lux

No: Kauffman

13. ADMINISTRATIVE ITEMS:

(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)

- A. Report on City Council Actions Pertaining to Zoning Matters from January 26, 2012 and February 2, 2012

Commissioner Lux advised that the items related to zoning matters all passed.

- B. Director and Staff Comments

Director Rawls Howard advised the Commissioners that City Council had pushed the D.R. Horton case back to the Planning and Zoning Commission for reconsideration at the March meeting. A letter from D.R. Horton's attorney had requested an indefinite postponement. He also wished Chair Thomas a happy birthday.

- C. Commissioners Comments.

Chair Thomas stated that he appreciated the thoughtful discussion from the Commissioners.

- D. Request for Future Agenda Items. **None.**

- E. Designate Delegate to Attend Next Council Meetings on February 23, 2012 and March 8, 2012

Chair Thomas stated he would attend the February 23, 2012 Council meeting. Commissioner Lux stated he would attend the March 8th meeting.

14. ADJOURNMENT
Chair Thomas adjourned the meeting at 7:53 p.m.

PASSED AND APPROVED THE 20TH DAY OF MARCH, 2012.

STEPHEN THOMAS, Chairman

ATTEST:

LORENA ECHEVERRIA DE MISI, Secretary

March 20, 2012

Planning and Zoning Commission

Item:#

Subdivision

Parkwest Estates

5A1

Case Number: PP-12-001

OWNER: Ryland Homes (Royce Rippy)

AGENT: Danny Smith

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Located on the south side of Cedar Park Drive just west of US Hwy 183 south to Park Street

COUNTY: Williamson

AREA: 27.6 acres

ZONING: SF

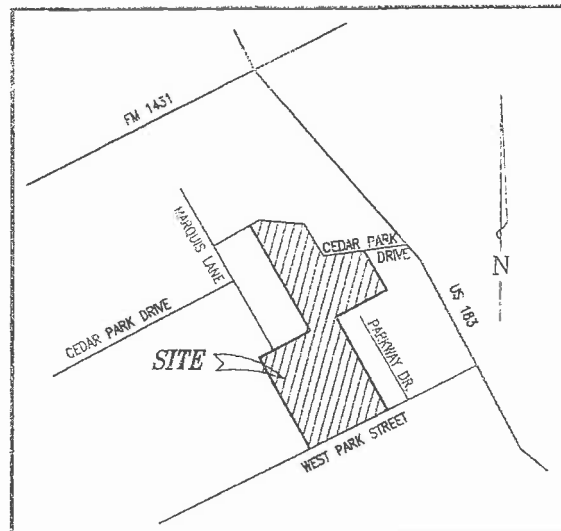
SUBDIVISION DESCRIPTION: 77 single family lots

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.

The application will be brought back to the Planning and Zoning Commission for final action once the application has been property processed.



LOCATION MAP

NOT TO SCALE

March 20, 2012

Subdivision

Planning and Zoning Commission
Resubdivision of Lot 1 Lakeline Riviera
Subdivision

Item:#
5A2

Case Number:SFP-12-001

OWNER: Lakeline Market, Ltd.

AGENT: Bury+Partners

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Located on the northwest corner of Lakeline Boulevard and US Highway 183

COUNTY: Williamson

AREA: 4.907 acres

ZONING: LR/GO/SF-2

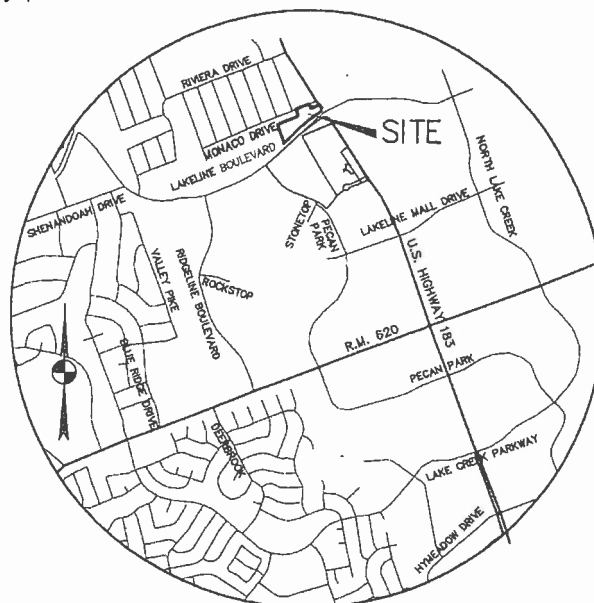
SUBDIVISION DESCRIPTION: 2 commercial lots

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.

The application will be brought back to the Planning and Zoning Commission for final action once the application has been property processed.



VICINITY MAP
N.T.S.

March 20, 2012

Planning and Zoning Commission

Item:#

Subdivision

Arbor Park

5A3

Case Number: FP-12-001

OWNER: F+F Capital (Neil Francois)

AGENT: Brendan McEntee

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Located on East Whitestone Boulevard just east of Ronald Reagan Boulevard

COUNTY: Williamson

AREA: 1.4 acres

ZONING: GR

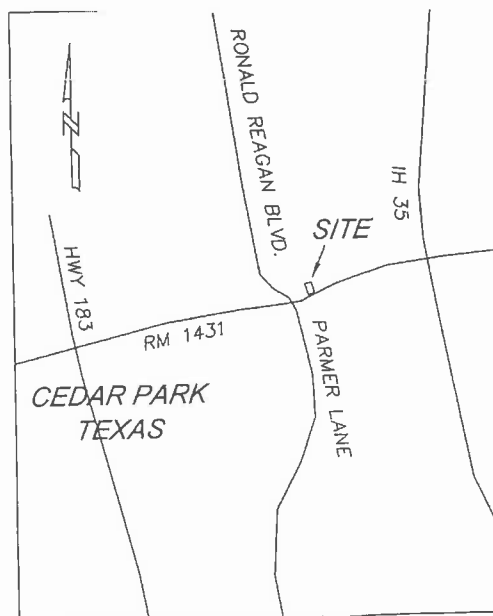
SUBDIVISION DESCRIPTION: 1 commercial lot

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.

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March 20, 2012

Planning and Zoning Commission

Item:#

Subdivision

Cypress Corner Section 2, Lot 1

5A5

Case Number: PP-12-003

OWNER: TSSD III

AGENT: Lee Miks, Pohl Partners

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Located on Cypress Creek Road just west of US Highway 183

COUNTY: Williamson

AREA: 3.6 acres

ZONING: GR

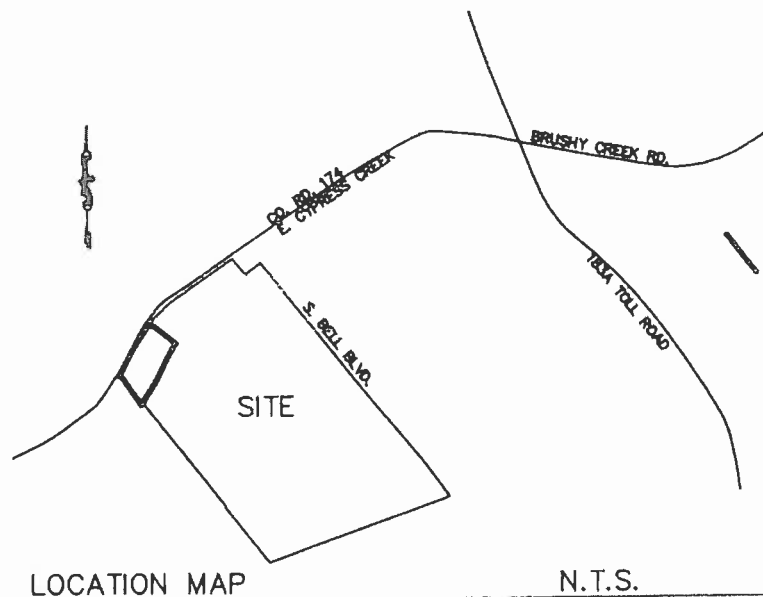
SUBDIVISION DESCRIPTION: 1 commercial lot

STAFF COMMENTS:

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Disapproval of the plat at this time shall not bias future consideration of the application.

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March 20, 2012

Planning and Zoning Commission

Item:#

Subdivision

Cypress Corner Section 2, Lot 1

5A6

Case Number: FP-12-002

OWNER: TSSD III

AGENT: Lee Miks, Pohl Partners

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Located on Cypress Creek Road just west of US Highway 183

COUNTY: Williamson

AREA: 3.6 acres

ZONING: GR

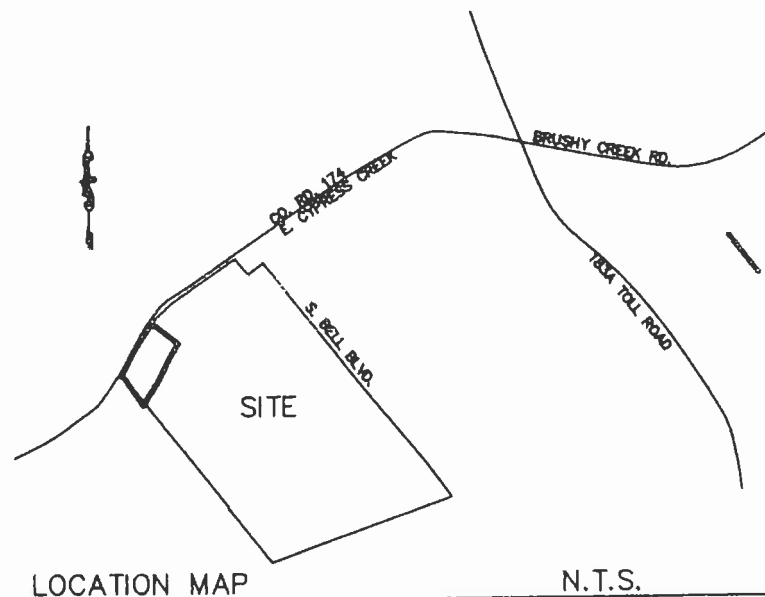
SUBDIVISION DESCRIPTION: 1 commercial lot

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.

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March 20, 2012

Planning and Zoning Commission

Item:#

Subdivision

Cypress Corner Section 2, Lot 1

5A6

Case Number: FP-12-002

OWNER: TSSD III

AGENT: Lee Miks, Pohl Partners

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Located on Cypress Creek Road just west of US Highway 183

COUNTY: Williamson

AREA: 3.6 acres

ZONING: GR

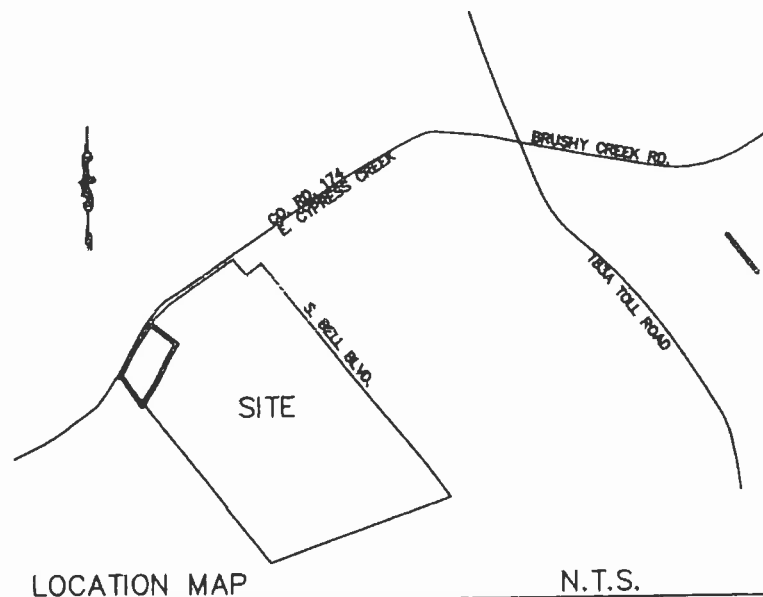
SUBDIVISION DESCRIPTION: 1 commercial lot

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

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March 20, 2012

Planning and Zoning Commission

Item:#

Subdivision

Cypress Corner Section 1, Lot 1

5A7

Case Number: FP-12-003

OWNER: TSSD III

AGENT: Lee Miks, Pohl Partners

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Located on S. Bell (US Highway 183) just south of Cypress Creek Road

COUNTY: Williamson

AREA: 6.07 acres

ZONING: GR

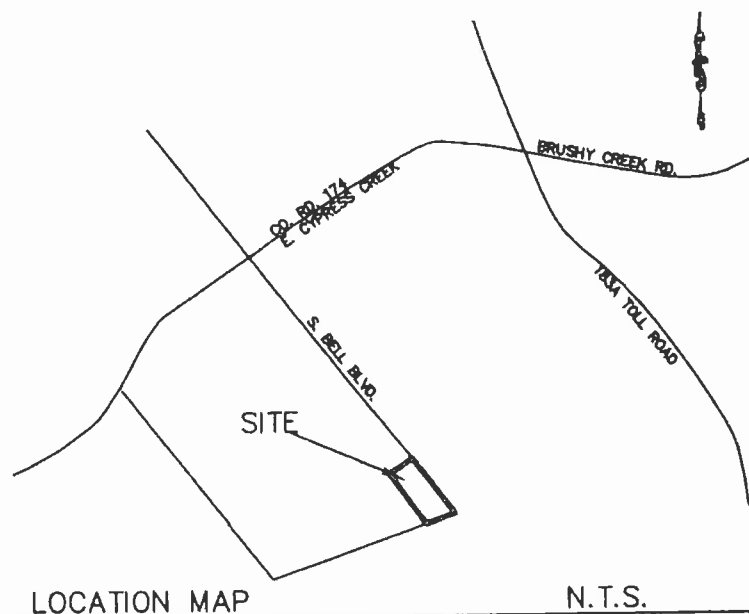
SUBDIVISION DESCRIPTION: 1 commercial lot

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.

The application will be brought back to the Planning and Zoning Commission for final action once the application has been properly processed.



March 20, 2012

Zoning

Planning and Zoning Commission

Cedar Park Town Center Commercial

Item:

6A

Postponement
Request

Case Number: # Z-11-039

Owner: Continental Homes of Texas, LP

STAFF: Amy Link, 401-5056, amy.link@cedarparktx.us

LOCATION: Near the southwest corner of E. New Hope Drive and 183A Toll Road

COUNTY: Williamson

AREA: 42.86 acres

The applicant is requesting an indefinite postponement of their rezoning request. Please see attached letter.



Z-11-039



March 20, 2012	Planning and Zoning Commission	Item:
Zoning	Cedar Park Town Center Commercial	6A
Postponement Request	Case Number: # Z-11-039	



February 21, 2012

Planning and Zoning Commission
City of Cedar Park, Texas
600 N. Bell Blvd.
Cedar Park, Texas 78613

Re: Request for Indefinite Postponement by Planning and Zoning Commission; Zoning Case Z-11-039; 42.861 Acres From DD to PD-M for Property Near the Southwest Corner of 183A Toll Road and East New Hope Drive

Dear Chairman and Members of the Planning and Zoning Commission:

By this letter, we request an indefinite postponement of the above-referenced zoning case to allow time for us to re-evaluate the prospective end-users of the property so that we can ensure that we are requesting the most appropriate zoning. Because we are uncertain how much time this re-evaluation will require, we are not asking for the case to be postponed to a certain date, but rather we are asking that it be postponed indefinitely. We understand that with an indefinite postponement, public notice will need to be re-distributed prior to the time the case is re-posted on your agenda, and will agree to pay for that re-notification.

Thank you for your consideration of this request and your work on this case. Please let me know if you have any questions.

Sincerely,

Richard Maier

cc: Rawls Howard, AICP
Director of Planning and Development Services

Brenda Eivens
City Manager

March 20, 2012

Zoning

Planning and Zoning Commission

West Park at Lakeline

Item:
7A & 8A

Case Number: # Z-12-003

Owner/Agent: Doug DeVine, Premas Realty Group LLC

STAFF: Amy Link, 401-5056, amy.link@cedarparktx.us

LOCATION: Southeast corner of West Park Street and Lakeline Boulevard

COUNTY: Williamson

AREA: 4.04 acres

EXISTING ZONING: Single Family-Large Lot (SF)

PROPOSED ZONING: Transitional Office (TO)

STAFF RECOMMENDATION: Transitional Office-Conditional Overlay (TO-CO) with a condition to prohibit vehicular and pedestrian access to Amelia Drive

EXISTING FUTURE LAND USE DESIGNATION: Neighborhood Office/Retail/Commercial

SUMMARY OF REQUEST:

The applicant is requesting to rezone approximately 4.04 acres from Single Family-Large Lot (SF) to Transitional Office (TO) for property located at the southeast corner of West Park Street and Lakeline Boulevard.

EXISTING SITE:



March 20, 2012

Zoning

Planning and Zoning Commission

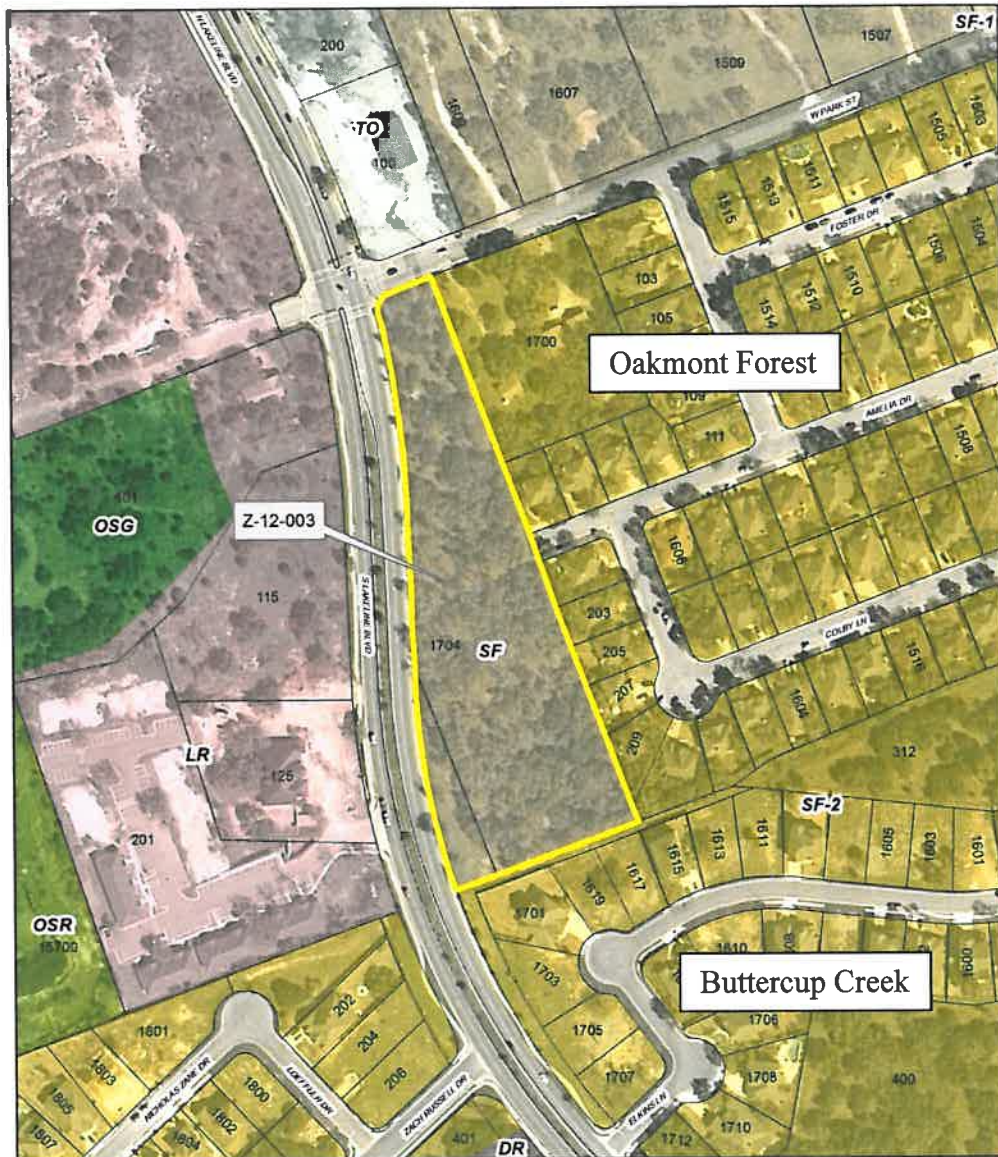
West Park at Lakeline

Item:
7A & 8A

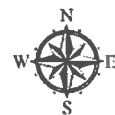
Case Number: # Z-12-003

SURROUNDING USES:

The site is currently undeveloped and is surrounded by single family residential properties to the east and south. West Park Street forms the northern boundary of the tract and Lakeline Boulevard lies to the west of the tract.



Z-12-003



March 20, 2012

Planning and Zoning Commission

Item:

Zoning

West Park at Lakeline

7A & 8A

Case Number: # Z-12-003

PURPOSE OF REQUESTED ZONING DISTRICT:

The Transitional Office District, TO, is established to provide for low intensity office and professional uses to be located adjacent to residential areas with a positive impact. Permitted uses in this district are more compatible with adjacent residential areas by having limited hours of operation, small building scale, and architectural and landscape features that are consistent with residential style. This district is intended to allow for limited, nonresidential land uses that provide for a smooth transition to and from the area to preserve the integrity of adjacent residential neighborhoods. The TO District provides for support services near to the residents of the neighborhood, allowing access to services by pedestrians and bicycles.

The purpose of a Conditional Overlay Combining District (CO) is to modify use and site development regulations to address the specific circumstances presented by a site. The Conditional Overlay Combining District may be used to promote compatibility between competing and potentially incompatible land uses (ex. prohibit a permitted use in the base district); ease the transition from one base district to another (ex. requiring additional buffers); address land uses or sites with special requirements (ex. prohibit access to a specific roadway from a site); and guide development in unique circumstances (ex. increase the minimum lot size).

PERMITTED USES IN TO:

Accessory structures
Administrative offices
Art gallery
Day care center, incidental
Medical offices
Places of worship
Private schools
Professional offices
Public buildings, uses
Software development
Temporary buildings
Utility services, general
Wireless telecommunication facilities

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Neighborhood Office/Retail/Commercial uses, with compatible zoning districts such as Transitional Office (TO), Transitional Commercial (TC), General Office (GO), Local Retail (LR) and Mixed Use (MU).

The applicant's request complies with the Future Land Use Plan (FLUP).

March 20, 2012	<i>Planning and Zoning Commission</i>	Item:
Zoning	West Park at Lakeline	7A & 8A
Case Number: # Z-12-003		

The request is also consistent with the following goals set forth in the Comprehensive Plan:

4.1.6 Economic Development Goals:

- Attract commercial development to Cedar Park in order to reduce tax burden on residential property.
- Diversify and broaden Cedar Park's economic base to keep up with anticipated growth while both keeping taxes competitive and maintaining a high level of City services.

SITE INFORMATION:

Corridor Overlay:

This tract is located within the Corridor Overlay.

Transportation:

North Lakeline Boulevard is classified as a 4 lane divided major arterial adjacent to the tract. In 2011, the traffic count north of Buttercup Creek Boulevard was 22,927 vehicles trips per day.

West Park Street is classified as a 2 lane minor arterial and creates the northern boundary of the tract.

Amelia Drive is classified as a local street and currently dead ends at the eastern property line of the tract.

Water and Wastewater Utilities:

Water and wastewater lines are sized adequately for the existing and requested zoning on the site.

Subdivision:

The property is not subdivided.

Setback Requirements:

	Transitional Office (TO)
Front Setback	25'
Side Setback	12'
Side Setback at street	25'
Rear Setback adjacent to single family	20'

Architectural Requirements:

The site is located entirely within the Corridor Overlay, which requires 75% masonry construction.

March 20, 2012

Zoning

Planning and Zoning Commission

West Park at Lakeline

Item:

7A & 8A

Case Number: # Z-12-003

CASE HISTORY:

Case Number	Request	P&Z Recommendation	CC Action
Z-02-003	SF to LR	Application was withdrawn	No action taken
Z-11-033	SF to LR-CO	Recommended applicant's request	Denied request

STAFF COMMENTARY:

The applicant is requesting TO zoning for the subject tract. This request exemplifies the purpose statement of the TO district, as it will provide low intensity uses serving the adjacent residential neighborhood. The limited hours of operation and architectural scale and style of buildings found in this district provide a compatible transition between commercial and residential uses.

To further buffer the commercial uses from the adjacent neighborhood, staff is recommending that vehicular and pedestrian access to Amelia Drive be prohibited.

STAFF RECOMMENDATION:

Staff supports the applicant's request for TO zoning; however, we recommend to further condition the request to TO-CO with a conditional overlay prohibiting vehicular and pedestrian access to Amelia Drive.

PUBLIC INPUT: To date, no public testimony has been received.

PUBLIC NOTIFICATION: Cedar Park-Leander Statesman March 8, 2012
46 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (April 26, 2012) 1ST Reading
(May 10, 2012) 2ND Reading

March 20, 2012

Planning and Zoning Commission

Item:

Zoning

1431 Inc.

7B & 8B

Case Number: # Z-12-004

OWNER: Marion and Peggy Shipman; 1431 Inc.

AGENT: David Singleton

STAFF: Amy Link, 401-5056, amy.link@cedarparktx.us

LOCATION: Near the northeast corner of West Whitestone Blvd and West New Hope Dr

COUNTY: Williamson and Travis Counties

AREA: 34.23acres

EXISTING ZONING: Development Reserve (DR) and Business District (BD)

PROPOSED ZONING: Local Retail (LR), General Retail (GR), Light Industrial (LI) and Commercial Services-Conditional Overlay (CS-CO) with the following conditions: prohibit automobile repair shop, automotive tire stores, automotive paint and body shop, automotive parts and accessory sales, boarding kennels, crematorium, gasoline service station general, indoor shooting range, pawn shop, permanent makeup, tattooing, body piercing, truck stop, and wrecker impoundment.

STAFF RECOMMENDATION: LR, GR, LI and CS-CO with all applicant's conditions plus prohibition of self-storage and recreational vehicle parks and limitation of building height to 45 feet

EXISTING FUTURE LAND USE DESIGNATION: Neighborhood Office/Retail/Commercial and Employment Center

PROPOSED FUTURE LAND USE DESIGNATION: Neighborhood Office/Retail/Commercial, Employment Center, Regional Office/Retail/Commercial and Industrial

SUMMARY OF REQUEST:

The applicant is requesting to rezone approximately 34.23 acres located near the northeast corner of West Whitestone Boulevard and West New Hope Drive from DR and BD to:

- Approximately 4.12 acres of LR;
- Approximately 6.29 acres of GR;
- Approximately 12.43 acres of LI; and
- Approximately 11.39 acres of CS-CO with the following conditions: prohibit automobile repair shop, automotive tire stores, automotive paint and body shop, automotive parts and accessory sales, boarding kennels, crematorium, gasoline service station general, indoor shooting range, pawn shop, permanent makeup, tattooing, body piercing, truck stop, and wrecker impoundment.

See map below for location of proposed zoning designations within the site.

March 20, 2012

Zoning

Planning and Zoning Commission

1431 Inc.

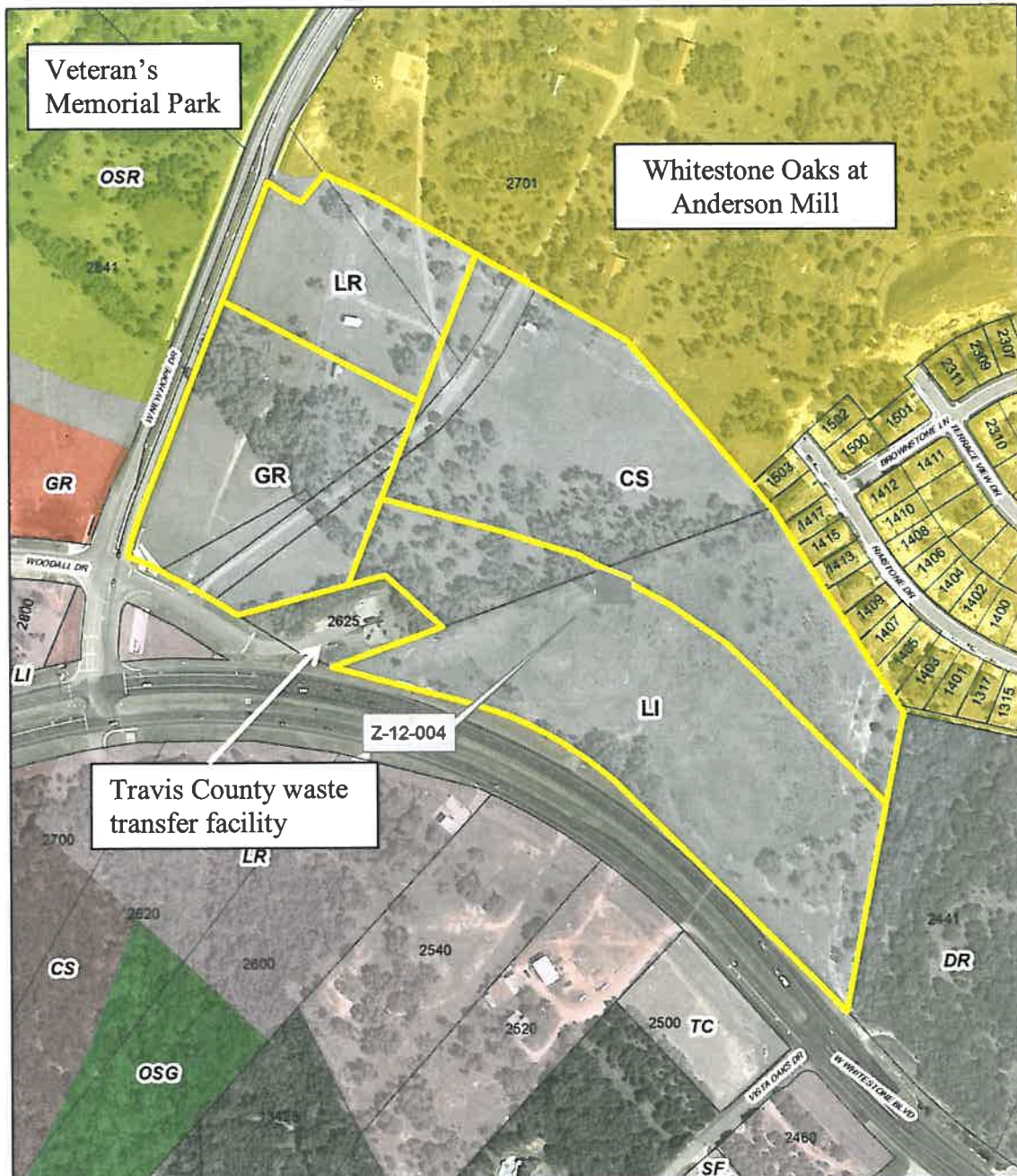
Item:

7B & 8B

Case Number: # Z-12-004

EXISTING SITE and SURROUNDING LAND USES:

The site is currently undeveloped and is surrounded by the Whitestone Oaks at Anderson Mill residential subdivision to the north and undeveloped property the east. West New Hope Drive creates the western boundary of the tract and West Whitestone Boulevard creates the southern boundary of the tract, with the exception of a Travis County waste transfer facility (labeled below).



March 20, 2012

Planning and Zoning Commission

Item:

Zoning

1431 Inc.

7B & 8B

Case Number: # Z-12-004

PURPOSE OF REQUESTED ZONING DISTRICT:

The Local Retail District, LR, is established to provide for office and retail businesses that are intended to serve the overall community, with a larger market than the immediate neighborhoods in the area. In order to accommodate the traffic generated from these businesses without negatively impacting the residential neighborhoods, these uses should be located primarily at pulse points or activity nodes where collector streets and arterial roadways intersect or at arterial roadway intersections. These uses generally serve a larger market than businesses found in a TC District; yet generally serve a local market opposed to the regional market served by uses in a GR District.

The General Retail District, GR, is established to provide for business activities that are typically large in scale and are designed to serve the community and the region without negatively impacting the residents of the single-family neighborhoods. This is accomplished by locating these uses at pulse points or activity nodes located at the intersection of arterial roadways, or at pulse points with direct access to major arterial roadways. The GR District allows for more intensive retail, office, and limited commercial land uses under architectural standards that result in consumer-oriented, quality development that promotes economic development and regional enterprise in a positive and sustainable manner for the City.

The Commercial Services District, CS, is established to provide for business and commercial activities that are typically more intensive than consumer retail enterprises, often larger in scale, and often are designed to serve the region. Since generally they are not fully compatible with office or consumer retail uses, the permitted uses found in this district are combined in order to promote economic development and regional enterprise in a positive and sustainable manner for the City.

The Light Industrial District, LI, is intended to accommodate a variety of commercial services and limited manufacturing operations contained principally within an enclosed structure, while implementing measures to ensure the sustainability of both the industries and the neighborhoods and to maintain the quality of life in the City.

The purpose of a Conditional Overlay Combining District (CO) is to modify use and site development regulations to address the specific circumstances presented by a site. The Conditional Overlay Combining District may be used to promote compatibility between competing and potentially incompatible land uses (ex. prohibit a permitted use in the base district); ease the transition from one base district to another (ex. requiring additional buffers); address land uses or sites with special requirements (ex. prohibit access to a specific roadway from a site); and guide development in unique circumstances (ex. increase the minimum lot size).

PERMITTED USES:

A list of permitted uses for all requested districts is provided as an attachment to this report.

March 20, 2012

Planning and Zoning Commission

Item:

Zoning

1431 Inc.

7B & 8B

Case Number: # Z-12-004

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Neighborhood Office/Retail/Commercial and Employment Center uses. A list of compatible zoning districts for each designation is provided below.

Neighborhood Office/Retail/Commercial	Transitional Office (TO), Transitional Commercial (TC), General Office (GO), Local Retail (LR) and Mixed Use (MU)
Employment Center	Business District (BD), General Office (GO), Light Industrial (LI), Hospital (H) and Mixed Use (MU)

The applicant's requests for LR and LI zoning partially comply with the Future Land Use Plan (FLUP). The proposed GR district would be compatible with a Regional Office/Retail/Commercial designation and the CS district would be compatible with an Industrial designation. A list of compatible zoning districts for each additional designation is provided below.

Regional Office/Retail/Commercial	General Retail (GR), General Office (GO), and Mixed Use (MU)
Industrial	Commercial Services (CS), Heavy Commercial (HC), Light Industrial (LI), General Industrial (GI), and Heavy Industrial (HI)

A Future Land Use amendment is being processed concurrently with the zoning application (See agenda item 9B).

The request supports the following economic development goals set forth in the Comprehensive Plan:

4.1.6 Economic Development Goals:

- Attract commercial development to Cedar Park in order to reduce tax burden on residential property.
- Diversify and broaden Cedar Park's economic base to keep up with anticipated growth while both keeping taxes competitive and maintaining a high level of City services.
- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment, which supports existing businesses.
- Encourage retail growth within the City that will meet the needs of its citizens and provide increased sales tax revenues.

March 20, 2012

Planning and Zoning Commission

Item:

Zoning

1431 Inc.

7B & 8B

Case Number: # Z-12-004

SITE INFORMATION:

Corridor Overlay:

This tract is partially located within the Corridor Overlay.

Transportation:

West Whitestone Boulevard is classified as a major divided arterial adjacent to the site. In 2008 the daily traffic count west of Lakeline Boulevard was 24,048 vehicles per day.

West New Hope Drive is classified as a major arterial and forms the western boundary of the site. In 2010, the daily traffic count north of West Whitestone Boulevard was 2,692 vehicles per day.

Water and Wastewater Utilities:

Water and wastewater lines are sized adequately for the existing and requested zoning on the site.

Subdivision:

The property is not subdivided.

Setback Requirements:

	Local Retail (LR)	General Retail (GR)	Commercial Services (CS)	Light Industrial (LI)
Front setback	25'	25'	25'	25'
Side setback	12'	12'	12'	25'
Side setback adjacent to single family	20'	n/a	n/a	n/a
Side setback adjacent to street	n/a	25'	n/a	n/a
Rear setback	5'	5'	n/a	25'
Rear setback adjacent to single family	n/a	n/a	20'	n/a

Architectural Requirements:

The tracts proposed for LR, GR and LI zoning are subject to the Corridor Overlay masonry requirements, which are 75% for each exterior wall. The tract proposed for CS zoning would be subject to the current 25% masonry requirement on each exterior wall.

March 20, 2012

Planning and Zoning Commission

Item:

Zoning

1431 Inc.

7B & 8B

Case Number: # Z-12-004

CASE HISTORY:

Case Number	Request	P&Z Recommendation	CC Action
Z-03-015	134 acres from DR to SF-2, SF-3 and BD	Recommended SF-2, BD and DR	Approved SF-2, BD and DR

STAFF COMMENTARY:

The subject site was originally zoned in 2003. At that time, a majority of the tract was zoned BD, with a small parcel along the western boundary of the tract remaining DR. A large portion of the eastern half of the site is encumbered by a former landfill that was operational from 1969 to 1980. An exhibit of the former landfill location is attached at the end of this report.

The applicant is proposing approximately 6.29 acres of GR at the southwest corner of the tract. Although not compliant with the FLUP, GR zoning at this location meets the intent of the GR district. The parcel is located near the pulse point of two major arterials, with direct access to West New Hope Drive. This tract could serve the local community as well as the surrounding region. In addition, the request is consistent and compatible with other existing zoning designations in the area.

Directly north of the proposed GR tract, the applicant is proposing approximately 4.12 acres of LR. Current land use designations for the tract include Neighborhood Office/Retail/Commercial uses as well as Employment Center uses. The LR proposal is partially compliant with the FLUP. The request would provide a transition from more intense retail/commercial uses near the intersection of West New Hope Drive and West Whitestone Boulevard to lesser intense land uses that will ultimately abut single family residences to the north. The request is supported by the purpose statement of the LR district, as this tract is located on a major arterial and will serve the local area.

Approximately 12.43 acres located along the West Whitestone frontage is proposed for LI zoning. This request is consistent with the FLUP and the purpose statement of the LI district. This tract has direct access to West Whitestone and could provide a variety of commercial services and employment opportunities to the region.

Finally, directly north of the proposed LI tract, the applicant is proposing approximately 11.39 acres of CS-CO zoning. This tract's northern boundary would border the Whitestone Oaks at Anderson Mill residential subdivision, which is partially constructed. The conditional overlay proposed by the applicant would prohibit many uses considered to be too intense or noxious when located adjacent to single family residences, such as automotive repair services, indoor shooting ranges and crematoriums. The CS district does not comply with the FLUP, as this area is currently designated for employment center uses. However, the CS district does meet many goals of the Comprehensive Plan and would provide economic development opportunities in the area. In addition, the requested district is compatible with the proposed LI designation to the south and has conditioned down uses to be less intensive than a straight zoning district.

March 20, 2012

Planning and Zoning Commission

Item:

Zoning

1431 Inc.

7B & 8B

Case Number: # Z-12-004

In order to provide greater compatibility with the residential subdivision to the north, staff is proposing to add a condition limiting the height of structures within this CS parcel to a maximum of 45 feet. Staff is also recommending that the uses be further restricted by prohibiting self-storage and recreational vehicle parks. These uses do not emulate the City's goals regarding highest and best use of property.

Coupling the applicant's requested CS-CO designation with the additional height and use conditions noted above, staff is in support of the CS-CO request.

STAFF RECOMMENDATION:

In summary, staff supports rezoning approximately 34.23 acres from DR and BD to:

- Approximately 4.12 acres of LR;
- Approximately 6.29 acres of GR;
- Approximately 12.43 acres of LI; and
- Approximately 11.39 acres of CS-CO with the following conditions:
 - 1) Prohibit automobile repair shop, automotive tire stores, automotive paint and body shop, automotive parts and accessory sales, boarding kennels, crematorium, gasoline service station general, indoor shooting range, pawn shop, permanent makeup, tattooing, body piercing, truck stop, wrecker impoundment, self-storage and recreational vehicle parks,
 - 2) Limit the height to a maximum of 45 feet.

PUBLIC INPUT: To date, no public testimony has been received.

PUBLIC NOTIFICATION: Cedar Park-Leander Statesman March 8, 2012
31 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (April 26, 2012) 1ST Reading
(May 10, 2012) 2ND Reading

March 20, 2012

Zoning

Planning and Zoning Commission

1431 Inc.

Item:
7B & 8B
Case Number: # Z-12-004

Permitted Land Uses

<u>LR USES</u>	<u>GR USES</u>	<u>CS USES</u>	<u>LI USES</u>
All uses in TO and TC, plus: Automated Teller Machines Automobile parts and accessories sales Bakery, retail Banks (with or without drive-through facilities) Consumer repair shop (including bicycles) Convenience store Drugstores Dry cleaning and/or laundry, on-site Food sales, general (grocery store) Gasoline service stations, limited Golf, amusement Hardware stores Landscape nursery and supply store, retail Laundromat Liquor store Nonprofit seasonal fundraisers Pet grooming Restaurant, general Restaurant, limited Rental libraries for sound and video recordings Retail stores Veterinary Services	All uses in LR, TC, and TO, plus: Automobile sales, new Automotive sales, used Automobile repair shop Automotive tire stores Bar, cocktail lounge Car washes Civic clubs and fraternal organizations Commercial parking lots Equipment rental, sales, service and/or repair Funeral home Furniture store Gasoline service stations, general Home improvement center Hotel Hotel, extended stay Indoor sports and recreation Motel Office/showrooms Office/warehouse Reception hall Special events Theatres, indpr Theatres, outdoor Transit station	Accessory structures Automobile repair shop Automotive paint and body shop Automotive parts and accessories sales Automotive tire stores Automotive upholstery shop Boarding kennels Communication services Construction sales and services Crematorium Dry cleaning and/or laundry facility, on-site Equipment rental Food preparation Gasoline service stations, general Greenhouses, commercial Indoor shooting range Indoor sports and recreation Office/showroom Office/warehouse Pawn shop Permanent makeup, tattooing, body piercing Pest control, exterminating services Pool and spa sales and service Print shop Recreational vehicle park Seasonal businesses Self storage Temporary buildings Trade shop Truck stop Upholstery shops, not involving manufacture Utility services, general Veterinary services Wireless telecommunications facilities Wrecker, impoundment	Accessory structures Art studio, industrial Manufacturing, custom Manufacturing, processing and assembly facilities, light Office/warehouse Seasonal businesses Secondary uses specific to this district Telecommunications towers Temporary buildings Temporary uses specific to this district Transit station Utility services, general Warehousing and distribution, limited Wholesale sales Wireless telecommunications facilities

March 20, 2012

Zoning

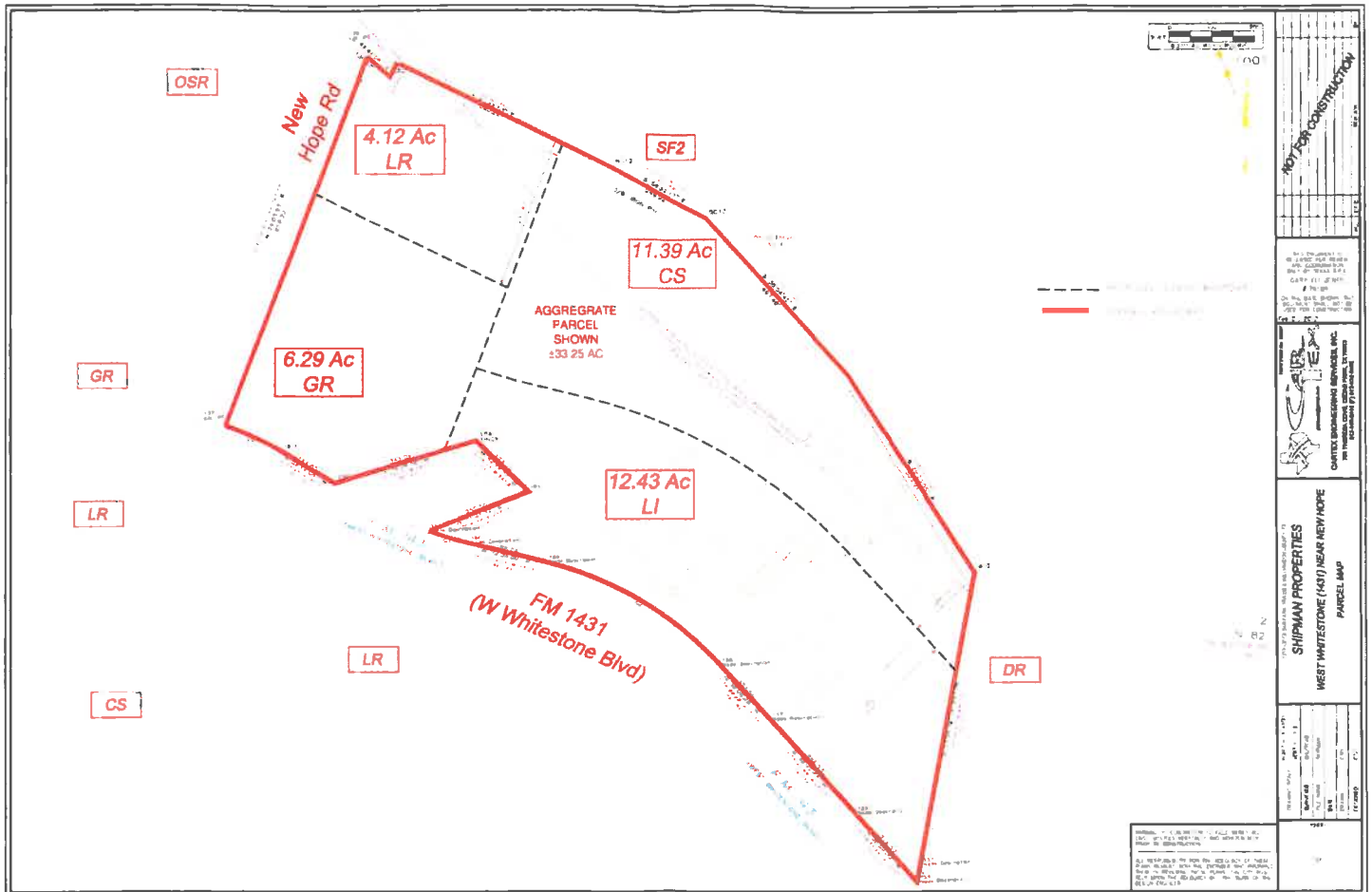
Planning and Zoning Commission

1431 Inc.

Item:
7B & 8B

Case Number: # Z-12-004

Landfill Exhibit (landfill depicted by green hashed area)



March 20, 2012

Planning and Zoning Commission

Future Land
Use Plan
Amendments

Future Land Use Plan Amendments
A. Lakeline Boulevard just north of Old Mill Rd
B. Northeast Corner of West Whitestone Blvd and
West New Hope Drive

Item:
9 A & B

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us
Amy Link, 401-5056, amy.link@cedarpark.tx.us

ITEM 9A: Property Located on Lakeline Boulevard just north of Old Mill Road

In conjunction with the King William rezoning request (Z-12-001), the applicant has requested the following amendment to the Future Land Use Plan:

- Amend the Future Land Use map for 1.3 acres located on Lakeline Boulevard from Neighborhood Retail/Office/Commercial to Industrial

The Industrial designation finds suitable the following zoning districts: Commercial Services (CS), Heavy Commercial (HC), Light Industrial (LI), General Industrial (GI) and Heavy Industrial (HI). Staff does not recommend approval of this request in that the location of this site is not suitable for an Industrial Future Land Use Plan designation which coincides with the staff recommendation on the requested zoning change.

However, at the Planning and Zoning Commission meeting on February 17, 2012, the Planning and Zoning Commission recommended approval of the request for Commercial Services (CS) as requested by the applicant due to its unique shape, restrictive conditions, and land division for this tract. Approval of this request by the Planning and Zoning Commission is required in order to support the Commission's earlier recommendation of CS at the February meeting.

March 20, 2012

Future Land
Use Plan
Amendments

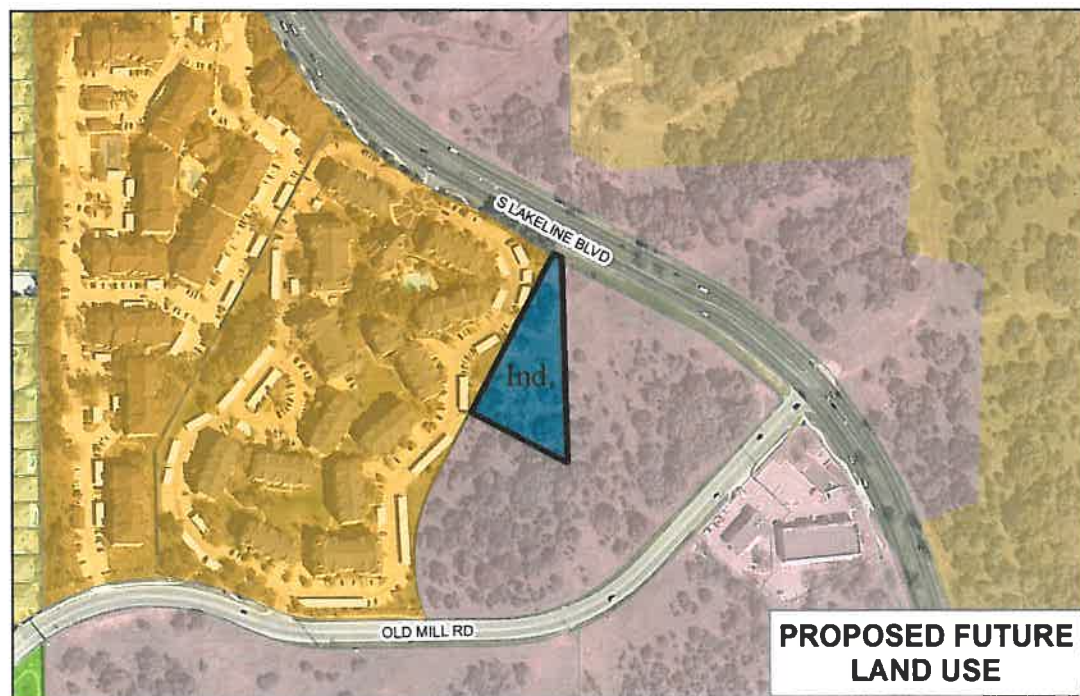
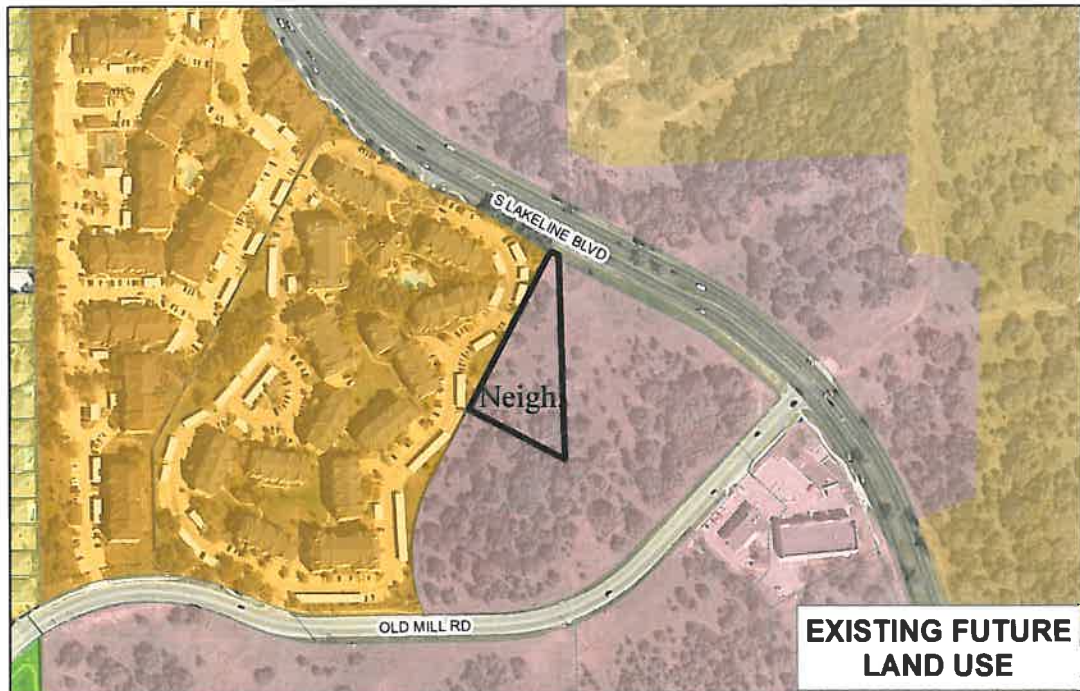
Planning and Zoning Commission

Future Land Use Plan Amendments

- A. Lakeline Boulevard just north of Old Mill Rd
- B. Northeast Corner of West Whitestone Blvd and West New Hope Drive

Item:
9 A & B

EXHIBIT A



March 20, 2012

Planning and Zoning Commission

Future Land
Use Plan
Amendments

Future Land Use Plan Amendments **A. Lakeline Boulevard just north of Old Mill Rd** **B. Northeast Corner of West Whitestone Blvd and** **West New Hope Drive**

Item:
9 A & B

ITEM 9B: Northeast corner of West Whitestone Boulevard and West New Hope Drive

In conjunction with the rezoning request by Marion Shipman and 1431 Inc. (Z-12-004), staff is recommending the following amendments to the Future Land Use Plan:

- Amend the Future Land Use Map for approximately 6 acres located at the northeast corner of West Whitestone Boulevard and West New Hope Drive from Neighborhood Office/Retail/Commercial and Employment Center to Regional Office/Retail/Commercial
- Amend the Future Land Use Map for approximately 2 acres located on the east side of West New Hope Drive from Employment Center to Neighborhood Office/Retail/Commercial
- Amend the Future Land Use Map for approximately 12 acres from Employment Center to Industrial

A Regional designation near the corner of two major arterials is consistent with existing land uses in the area and will allow for the highest and best use of the property.

The Neighborhood Office/Retail/Commercial designation is an expansion of the designation currently in place along West New Hope Drive. The designation is appropriate adjacent to a major arterial and allows for zoning districts that will serve the surrounding neighborhoods, while maintaining compatibility with the adjacent residential neighborhood.

The Industrial designation promotes commercial services and economic development in the area and is compatible with the Employment Center designation to the south. When rezoning requests for this area are received, special consideration should be given to the tract's proximity to the residential neighborhood to the north.

Applicable Goals from the Comprehensive Plan:

4.1.6 Economic Development Goals:

- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment, which supports existing businesses.
- Encourage retail growth within the City that will meet the needs of its citizen and provide increased sales tax revenues
- Attract commercial development to Cedar Park in order to reduce tax burden on residential property.

Based upon the information provided, it is recommended that the Future Land Use Plan for the area described above and depicted on the attached Exhibit B be amended as stated.

March 20, 2012

Future Land
Use Plan
Amendments

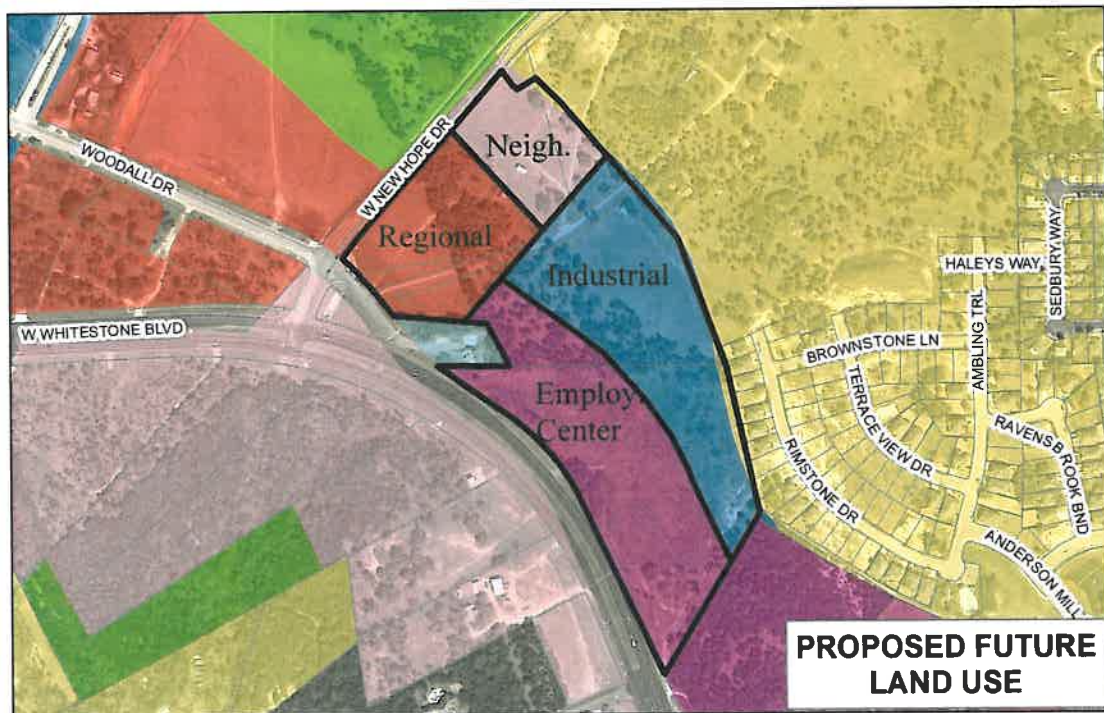
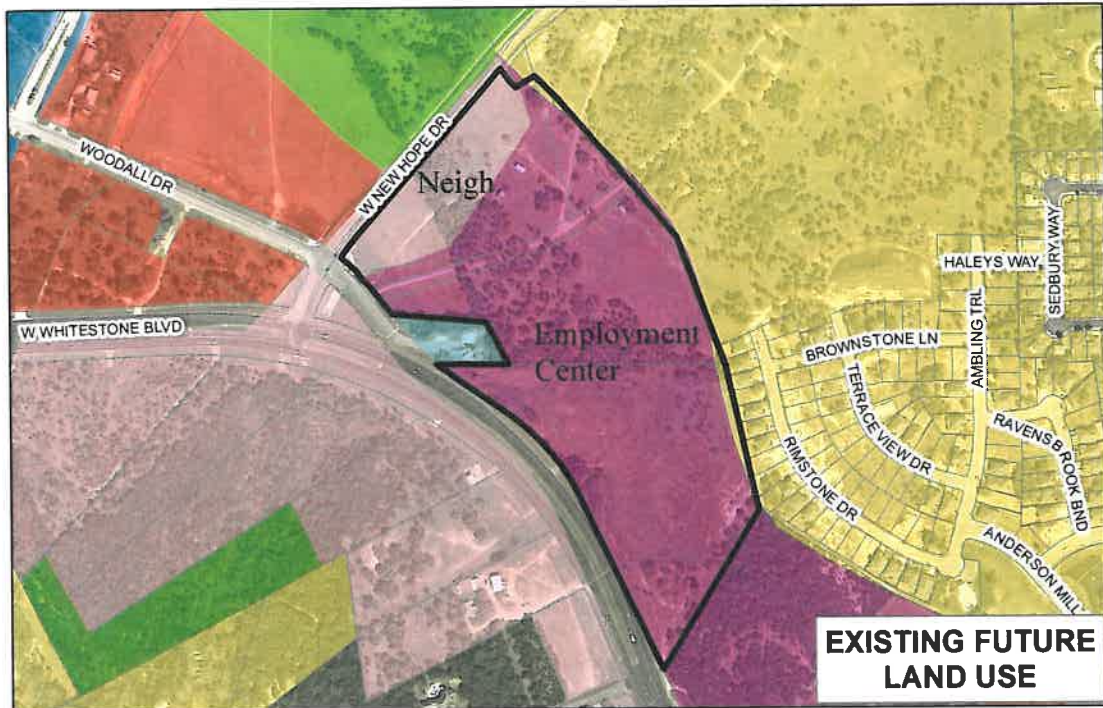
Planning and Zoning Commission

Future Land Use Plan Amendments

- A. Lakeline Boulevard just north of Old Mill Rd
- B. Northeast Corner of West Whitestone Blvd and West New Hope Drive

Item:
9 A & B

EXHIBIT B



March 20, 2012

Planning and Zoning Commission

Future Land
Use Plan
Amendments

- Future Land Use Plan Amendments**
A. Lakeline Boulevard just north of Old Mill Rd
**B. Northeast Corner of West Whitestone Blvd and
West New Hope Drive**

**Item:
9 A & B**

Below is a summary of how the two proposed amendments will affect the land use percentages currently established on the FLUP.

Land Use	Current Area/Percentage		Proposed Amendment/ Percentage		% Change
Employment Center	1465.6 ac	7.57%	1447.73 ac	7.47%	-0.10%
High Density Residential	391.52 ac	2.02%	391.52 ac	2.02%	0%
Industrial	329.78 ac	1.7%	342.78 ac	1.77%	+0.07%
Institutional/Public/Utility	953.33 ac	4.84%	955.38 ac	4.84%	0%
Low Density Residential	9438.24 ac	48.75%	9438.24 ac	48.75%	0%
Medium Density Residential	200.48 ac	1.03%	200.48 ac	1.03%	0%
Neighborhood Office/Retail/Commercial	2162.45 ac	11.16%	2159.45 ac	11.15%	-0.01%
Parks and Open Space	2324.93 ac	12.00%	2324.93 ac	12.00%	0%
Regional Office/Retail/Commercial	2106.89 ac	10.88%	2112.82 ac	10.91%	+0.03%

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**Item:
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STAFF: Rawls Howard, 401-5066, rawls.howard@cedarparktx.us

The intent of this proposed ordinance is to establish design criteria for large-scale retail developments. This agenda item is for discussion only.

Division 3: **DESIGN REQUIREMENTS FOR LARGE SCALE, SINGLE TENTANT RETAIL DEVELOPMENTS**

11.05.024 Intent

The intent of this section is to encourage visual design interest and a pedestrian site design for large-scale retail buildings. These structures shall be designed to reduce the massive scale and uniform, monolithic appearances. Building design shall also promote a safe and comfortable pedestrian oriented site with a mixture of uses and sizes of structures. Careful attention to local community design issues will also ensure a greater likelihood of reuse of the structure for subsequent tenants.

To further design excellence and creativity within the community, and to encourage a design tailored to the community, applicants for large-scale retail development proposals shall maximize the overall design of the site and structure(s). Therefore, the Director of Planning, or designee, may allow minor changes in the design standards listed in this section if the spirit and intent continues to be adhered to in the overall development design.

11.05.025 Applicability

The following retail development is subject to the requirements of this section in addition to complying with all other Code requirements:

- (1)** New construction equal to or exceeding seventy-five thousand (75,000) gross square feet and serving a single tenant as a stand-alone retail structure, or as part of a multi-tenant shopping center, or a structure serving multi-tenants equal to or exceeding one hundred fifty thousand (150,000) gross square feet. For the purposes of this section, accessory leased spaces without their own exterior public entrance and within the primary store, do not count as multiple tenants;
- (2)** Twenty-five thousand (25,000) square foot or more addition to an existing seventy-five thousand (75,000) + gross square foot space serving a single tenant. Additionally, the requirements of this section shall apply to the

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structure that includes the addition and to the portion of the site that is developed as a direct result of the increased parking requirements;

(3) Any addition to a structure or development that has previously been reviewed under this section;

(4) Pad sites and out parcels with structures that are associated with the primary development and which are included in the original subdivision and/or master plan of the overall development. Due to the typically smaller scale of pad sites, the Director of Planning, or designee, may deviate from the prescribed Facade Treatments if the overall design of the structure(s) remains compatible and comparable to the principal structure;

(5) Zones or districts that have a separate and specific regulatory design review process are exempt from these standards;

(6) Vacancy - Abandoned buildings and blighted sites cause negative visual and fiscal concerns for the community. Therefore in order to minimize these instances upon the community, and in addition to this and other applicable codes and ordinances, the following shall apply to vacated building(s) or development reviewed under this section:

(a) Exterior Surfaces - All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches and trim shall be maintained in good repair. Exterior wood surfaces, other than decay resistant materials, shall be protected from the elements and decay by painting or other protective coverage or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repaired. All siding and masonry joints shall be maintained weather resistant and watertight;

(b) Exterior Walls - Exterior walls of buildings shall be maintained free from holes, breaks, loose or rotting materials, and graffiti; and shall be maintained weatherproof and properly surface coated as needed to prevent deterioration.

(c) Roofs - Roofs of buildings shall be maintained so that they are structurally sound and in a safe condition and weather tight, and have no defects, which might admit rain or cause dampness in the interior portions of a building. All portions, additions or sections of a roof including, but not limited to, the fascia, eave, soffit sheathing, rafter tail, barge rafter, vent screening, gutter, downspout, roof jack, lead or metal

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flashing, shall be complete with all trim strips, moldings, brackets, braces and supports attached or fastened in accordance with common building practices.

(d) Windows - All glass areas, including those in windows and doors shall be fully supplied and maintained as per the approved plan(s), or covered with smooth surface boards that are painted to coordinate with the building.

(e) Grounds -

(i) All landscaped areas as defined in the approved plan(s) shall be maintained and kept free of trash, old building materials, junk, unlicensed or inoperative vehicles, and other such material and equipment which, by its appearance, location or use, makes it incompatible with the principal use or other uses in the immediate neighborhood. The height of grass and other general ground cover shall be kept trimmed to a height of no more than eight (8) inches. Trees and shrubs shall be kept maintained and trimmed;

(ii) All driveway, parking, loading and outside storage areas shall be maintained as per the approved plan(s); and

(iii) All fences, walls, lighting, signs, storage structures, and other visual physical improvements or appurtenances as per the approved plan(s) shall be maintained in a safe, working order and in good appearance and free of graffiti.

11.05.026 Design Standards

Design standards shall include the following:

(1) All design standards contained within this section shall be applicable unless otherwise specified.

(2) Exterior building facades must conform to the standards in Sections 11.03.002 and 11.05 Division 1.

(3) Landscaping. Landscaping as defined in this section is in addition to the requirements of Article 14.07. To complement the large scale of the structure(s) and parking areas, the following shall be included:

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(a) Trees planted under this section or Article 14.07 shall be a minimum of two (2) inch caliper and specimen quality as certified by the American Standard of Nursery Stock (ASNS).

(b) The required street yard planting area as defined in Article 14.07 shall be a minimum of twenty-five (25) feet in width from the ROW line, with an overall landscaped area that shall be a minimum of 30% of the total street yard area. This street yard landscape shall be planted in accordance with the Corridor Overlay planting requirements as defined in Article 14.07.

(c) At least five (5) percent of the street yard landscape area shall be located between the building façade and any parking bays or drive aisles.

(d) Parking lot landscape islands shall be provided every one hundred (100) linear feet of aligned parking spaces and shall be a minimum of twelve (12) feet wide.

(e) A minimum of thirty percent (30%) of the required parking lot landscape islands as described in Article 14.07 shall be a minimum of fifteen (15) feet wide and eighteen (18) feet long. It is encouraged that these be placed in proximity to the front of the buildings(s).

(4) Facades greater than one hundred (100) feet in linear length shall be articulated with recesses or projections, which total at least twenty-five percent (25%) of that facade. Recesses or projections shall be a minimum of two percent (2%) of the length of that facade. No uninterrupted length of any facade shall exceed seventy-five (75) horizontal feet. See Figure 1.

(5) Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings and other such design features along no less than sixty percent (60%) of that facade. This requirement includes the facade of the building that functions as the rear, yet faces a street. See Figure 1.

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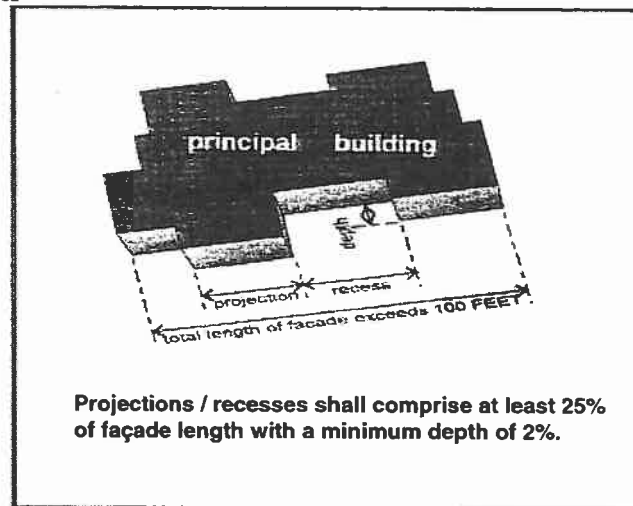
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Figure 1
Building Facades



11.05.027 Facade Treatments

All facades must use at least five (5) of the following design features. The Director of Planning, or designee may allow for minor deviations to the full requirement of each chosen item if the petitioner can adequately demonstrate that the overall intent and spirit of this section continues to be adhered to in an overall development design:

- (1) Colors, Materials or Textures. Have more than two (2) exterior contrasting colors and have more than three (3) exterior material or texture changes.

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(2) Have building face offsets, such as pilasters, columns and/or reveals, or other decorative elements (minimum twelve (12) inch offset) that are parallel to the front lot line.

(3) Covered pedestrian walkway (minimum of eight (8) foot depth) across the entire front facade of the structure.

(4) Clear glass window display area that covers at least twenty percent (20%) of one facade, or thirty percent (30%) of two (2) facades.

(5) Public Art — Building. To further create an individual identity to the community, artistic detailing such as tile work, murals, sculptures, and similar features, which are integrated into the design of the structure are encouraged. If tile work or murals, or similar detailing on the building is used, it must cover at least twenty percent (20%) of that facade, which is not devoted to the entrance area(s). In lieu of installation of public art directly by the developer, the developer may elect and is encouraged to have the City's Public Arts Board or other arts organization coordinate the selection, placement and installation of the public art as required in this subsection:

(a) One percent (1%) of the construction cost, as determined by the value of the building permit, for the subject property shall be allocated and used to purchase and install public art for the building(s).

(b) Calculation of the construction cost shall be verified by the Inspections Department.

(c) The following expenses may be included in the public art allocation:

(i) The artwork itself, including the artist's fee for design, structural engineering and fabrication;

(ii) Transportation and installation of the work at the site;

(iii) Identification plaques; and

(iv) Mountings, anchorages, containment, pedestals, bases or other materials necessary for the installation of the artwork;

(d) The following expenses shall be excluded from the public art allocation:

(i) The cost of locating the artist;

(ii) Architect and landscape architect fees;

(iii) Land costs;

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(iv) Landscaping, utility connections and fees associated with activating the artwork; and

(v) Publicity, public relations, photographs or dedication ceremonies.

(6) **Public Art — Site.** To further create an individual identity to the community, artistic detailing shall be integrated into the design of the site. In addition to sculpture, innovative locations for public art, such as at the architectural entrance to the site are encouraged. In lieu of installation of public art directly by the developer, the developer may elect and is encouraged to have the City's Public Arts Board or other arts organization coordinate the selection, placement and installation of the public art as required in this subsection:

(a) One percent (1%) of the construction cost, as determined by the value of the building permit for the subject property shall be allocated and used to purchase and install public art for the site.

(b) Calculation of the construction cost shall be verified by the Director of Planning, or his/her designee.

(c) Expenses set forth in subparagraph Section 11.05.028(5)(c) may be included in the public art allocation.

(7) **Integral planters or walls** constructed parallel to the face of the building and incorporating living landscaped areas and/or places for sitting. Such areas shall be a minimum of two (2) feet wide and nineteen (19) inches high for sitting, and five (5) feet wide for a planter and cover at least fifty percent (50%) of that facade.

(8) **Open space pedestrian plaza**, which incorporates gathering and sitting opportunities adjacent to the main entrance or on the front facade equivalent to two percent (2%) of the gross square footage of that building. Such an area shall include a seating area with benches or tables and chairs at a minimum rate of one seat per fifteen thousand (15,000) gross square feet, and shall include at least one of the following features:

(a) Kiosk(s);

(b) Outdoor playground area;

(c) Water feature;

(d) Gazebo; or

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(e) Clock tower or other such focal feature and amenity that enhances the public space.

(9) Atrium skylight(s), with a minimum depth of twenty (20) feet that visually enhances the exterior architectural style and design of the front entrance, facade and roof area.

11.05.028 Roofs

In addition to regulations of Article 5, Division 2, Section XX, all roof designs must use at least one of the following design features:

- (1) Three (3) or more roof slope planes; and/or
- (2) Overhanging eaves or canopy projections, which extend no fewer than two (2) feet past the supporting walls.

11.05.029 Entrances

Each retail establishment shall have a clearly defined and highly visible customer entrance or portal, which incorporates all of the following design features:

- (1) A pedestrian plaza as per the following:
 - (a) Single tenants occupying more than fifty thousand (50,000) square feet shall provide for a plaza area of at least twenty (20) feet in depth immediately in front of their entrance(s). It is encouraged that this area be large enough to plant shade trees;
 - (b) Single tenants occupying more than twenty thousand (20,000) square feet shall provide for a plaza area of at least ten (10) feet in depth immediately in front of their entrance(s); and/or
 - (c) Single tenants of less than twenty (20,000) square feet shall provide a plaza area of at least eight (8) feet in depth immediately in front of their entrance(s).
- (2) With the exception of interior malls, multiple and separate stores located in the same structure shall have at least one exterior customer entrance. For the purposes of this subsection, accessory uses within the primary store are not required to comply.

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(3) Each portal shall use at least three (3) of the following design features. These design features shall be in addition to those required in Section 11.05.029(1) and (2):

- (a) Canopies, porticos, arcades and/or outdoor patios;
- (b) Raised or peaked cornice parapets over the entrance;
- (c) Architectural or artistic details such as tile work and moldings that are integrated into the design of the entrance; and/or
- (d) Integral planters or walls that incorporate living landscaped areas and places for sitting that are built perpendicular to the facade and frame the entrance.

11.05.030 Parking and Circulation

The parking lot design and pedestrian circulation routes shall provide a safe, convenient and efficient access for vehicles, pedestrians and bicyclists. Pedestrian circulation via internal public sidewalks shall be encouraged. The placement of structures shall enhance and promote pedestrian circulation on the site.

- (1) Artistic detailing and paving patterns are encouraged in pedestrian walkways, plazas, and gathering areas.
- (2) No more than seventy percent (70%) of the overall proposed parking for a single structure development shall be located between the front facade and the abutting street.
- (3) At minimum, one internal continuous sidewalk of at least five (5) feet wide (clear) shall be provided from the public street to the entrance(s). Additionally, at least four (4) foot wide walkways shall connect focal points of pedestrian activity, such as transit stops, street crossings or store entry points, and shall feature adjoining landscaped areas (four (4) feet minimum landscape depth) to provide a separated and pedestrian friendly access route for no less than fifty percent (50%) of their overall length.
- (4) All internal pedestrian walkways shall be physically separated from the drive lanes. Additionally, all sidewalks and crosswalks shall be visually distinct from the driving surface by use of pavers, bricks or scored concrete.
- (5) Sidewalks, at least eight (8) feet in width, shall be provided along any facade featuring a customer entrance, and along any facade abutting public parking areas. At all times, such sidewalks shall maintain a clear pedestrian passage

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equal to the width of the sidewalk. Additionally, such sidewalks shall connect all customer entrances and to other internal sidewalks, and shall be located an average of at least three (3) feet from the facade of the building to provide planting beds for living foundation landscaping, except where features such as covered walkways, arcades or entryways are part of the facade. Such live foundation landscaped areas shall be a minimum average of six (6) feet wide, and shall be a minimum of fifteen (15) feet in overall length.

(6) Pedestrian and recreational paths, and vehicular linkages shall be made with adjoining properties.

(7) Bike racks shall be provided adjacent to entrances.

11.05.031 Outdoor Storage, Trash Collection and Loading Areas

These areas, due to their visual and noise impacts onto adjacent properties and visitors to the site, shall be screened, recessed or enclosed:

(1) No area for outdoor storage, trash collection or compaction, loading or other such uses shall be located within twenty (20) feet of any public street, public sidewalk, or internal pedestrian walkway.

(2) Outdoor shopping-cart storage areas shall be provided in the parking lot, and adjacent to the buildings if they are not available at the entrance.

(3) Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other such service functions shall be incorporated into the overall design of the structure and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of the view from general passersby.

11.05.032 Outdoor Displays

Permanent and seasonal outdoor sales areas shall be incorporated into the design of the building and site. Additionally, only designated and approved permanent or seasonal outdoor sales areas shall be permitted. Non-enclosed areas for the sale and storage of seasonal inventories shall be permanently defined and separated with walls and/or fences, keeping in common design with the principal structure.

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11.05.033 Signs

Signs shall be incorporated into the design of the structure. Signs shall be designed for both the pedestrian and the motorist.

(1) Freestanding signs shall be constructed with a base of the same materials as the structure to provide for a pedestrian scale and to unify the sign with the structure(s).

(2) All projecting signs shall be placed a minimum of nine (9) feet above the sidewalk. For the purposes of this subsection a projecting sign is a sign that projects more than twelve (12) inches.

11.05.034 Canopies

Gasoline canopies, car washes and other accessory uses shall be complementary to the overall design of the site and of the primary structure.

(1) Materials, colors and designs, shall conform with and compliment the predominant materials and colors of the main structure.

(2) Shall be illuminated with flush mounted, flat lens light fixtures for all under canopy fueling areas.

(3) Signage shall not be located on the fueling canopy other than a sign identifying the name of the business.

11.05.035 Hours of Operation.

Any development that is reviewed under this ordinance and is located within 1000 feet of a single family zoned lot (establishment separation) with an existing single family home occupying such lot, shall limit hours of operation from 6am to 12pm.

11.05.036 Submission Requirements.

Other requirements may be imposed by the Planning and Development Services Department in order to comply with this section.

11.05.037 Reserved

11.05.038 Reserved

11.05.039 Reserved

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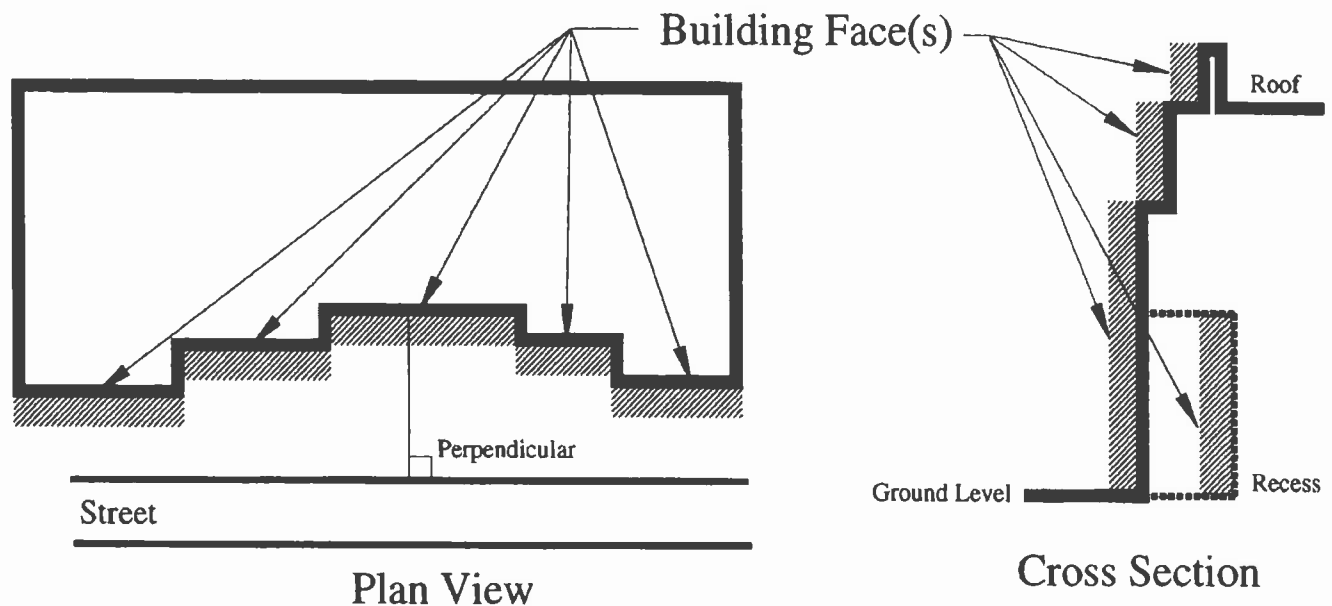
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11.12.002 Definitions

ARCADE means an area contiguous to a street or plaza that is open and unobstructed and accessible to the public at all times. Arcades may include building columns, landscaping, statuary and fountains. Arcades do not include off-street loading/unloading areas, driveways or parking areas.

ARTICULATE means to give emphasis to or distinctly identify a particular element.

BUILDING FACE, FRONT means any building face or portions thereof that can be touched by a line drawn perpendicular to the street or as extended toward the building.



Building Faces

CANOPY means a porch or walkway with a roof supported by columns, often leading to the entrance of the building.

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ENTRANCE means the front door to an establishment intended as the primary customer access point. The area of an entrance shall include the area on either side of the door for a distance of at least ten (10) feet.

FACADE means the portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.

GLARE means the direct light emitting from a luminaire that causes reduced vision or momentary blindness.

OUTDOOR PATIO means an open outdoor eating and gathering area of at least five hundred (500) square feet, which may be covered, but must remain open on at least three (3) sides.

PARAPET means the portion of a wall that extends above the roofline.

PLAZA OR COURTYARD means an open area available to the pedestrian public at all times. Fire lanes, or other paved areas that allow vehicular travel shall not be included.

PORTAL means a large and impressive entrance door or gateway.

PORTICO – See canopy.

PUBLIC ART means any work of art or design created by an artist and sited in a public place.

VACATED BUILDING(S) OR DEVELOPMENT means a building and/or site vacated for at 90 days without an active renovation/rehabilitation building permit for either the site or structures.

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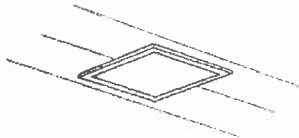
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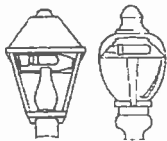
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Section 14.12.001 General Definitions

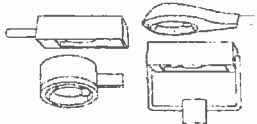
Lighting fixture, full cutoff. A lighting fixture from which no light output is emitted at or above a horizontal plane drawn through the bottom of the lighting fixture.



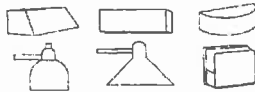
Flush-mount Canopy Fixtures



Full Cut-off/Shielded Decorative-type Fixtures



Full Cut-off Fixtures



Fully Shielded Wall-mount Fixtures

Cut-off Fixture